

1 JONATHAN W. CARLSON
2 Nevada Bar No. 10536
3 TODD W. BAXTER
4 *Admitted Pro Hac Vice*
5 GREGORY S. MASON
6 *Admitted Pro Hac Vice*
7 McCORMICK, BARSTOW, SHEPPARD,
8 WAYTE & CARRUTH LLP
9 8337 West Sunset Road, Suite 350
10 Las Vegas, Nevada 89113
11 Telephone: (702) 949-1100
12 Facsimile: (702) 949-1101
13 *jonathan.carlson@mccormickbarstow.com*
todd.baxter@mccormickbarstow.com
greg.mason@mccormickbarstow.com
14 ERON Z. CANNON
15 Nevada Bar No. 8013
16 FAIN ANDERSON VANDERHOEF
17 ROSENDAHL O'HALLORAN SPILLANE PLLC
18 701 5th Avenue #4750
19 Seattle, Washington 98104
20 Telephone: (206) 749-0094
21 Facsimile: (206) 749-0194
22 *eron@favros.com*
23 Attorneys for Plaintiffs/Counterdefendants

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 ALLSTATE INSURANCE COMPANY,
18 ALLSTATE PROPERTY & CASUALTY
19 INSURANCE COMPANY, ALLSTATE
20 INDEMNITY COMPANY, and ALLSTATE
21 FIRE & CASUALTY INSURANCE
22 COMPANY,

23 Plaintiffs,

24 v.

25 MARJORIE BELSKY, MD; MARIO
26 TARQUINO, MD; MARJORIE BELSKY,
27 MD, INC., doing business as INTEGRATED
28 PAIN SPECIALISTS; and MARIO
TARQUINO, MD, INC., DOES 1-100, and
ROES 101-200,

Defendants.

27 AND RELATED CLAIMS

CASE NO. 2:15-cv-2265-MMD-DJA

**STIPULATION AND ORDER TO
EXTEND THE DEADLINE FOR
PARTIES TO RESPOND TO MOTIONS
FOR SUMMARY JUDGMENT [ECF 518]
and [ECF 522]**

[SECOND REQUEST]

Case No. 2:15-cv-2265-MMD-DJA

STIPULATION AND ORDER TO EXTEND THE DEADLINE FOR PARTIES TO RESPOND TO PARTIES'
MOTIONS FOR SUMMARY JUDGMENT

1 Plaintiffs and Counterdefendants, ALLSTATE INSURANCE COMPANY, ALLSTATE
 2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,
 3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (hereinafter "Allstate Parties"),
 4 and Defendants and Counterclaimants MARJORIE BELSKY, M.D., MARIO TARQUINO, M.D.,
 5 MARJORIE BELSKY, M.D., INC. d/b/a INTEGRATED PAIN SPECIALISTS, and MARIO
 6 TARQUINO, M.D., INC. (hereinafter "Belsky Parties"), by and through their respective attorneys
 7 of record, stipulate and agree to extend the June 19, 2023, deadline for all parties to respond to their
 8 respective Motions for Summary Judgment filed on April 14, 2023, Allstate Parties [ECF 518] and
 9 Belsky Parties [ECF 522], extending the deadline for responses to each motion to June 30, 2023.

10 1. The extension is due to work load issues and scheduling conflicts for counsel for the
 11 Allstate Parties (Todd W. Baxter), and in light of the critical importance of the Belsky Parties'
 12 motion as to Allstate's claims herein, an extension of time is necessary to complete work on the
 13 detailed and complex motion.

14 2. Counsel for Allstate Parties, Mr. Baxter, is involved in a trial that is now scheduled
 15 to move forward on June 13, 2023 through June 16, 2023. In addition, Mr. Baxter just completed a
 16 reply to an opposition to Allstate's motions for summary judgment on the Defendants Counterclaims
 17 in the case of *Allstate v. Shah* Case No. 2:15-cv-01786-APG-DJA. That reply was filed on May 24,
 18 2023, and Mr. Baxter also just filed an opening brief in an appeal with the Fifth District Court of
 19 Appeal, in Fresno California on June 5, 2023. Mr. Baxter has another opening brief due on June
 20 12, 2023.

21 3. There are a number of issues and claimants involved in this case, with extensive
 22 discovery having been completed that must be summarized for purposes of responding to the
 23 motions that have been filed. The motion for summary judgment filed by the Belsky Parties contains
 24 a 45-page points and authorities, with an extensive amount of exhibits attached thereto that must be
 25 reviewed and summarized. The motion at issue is of critical importance; however, due to the
 26 existing work schedule of counsel for both parties, including, but not limited to, a trial involving
 27 counsel for Allstate, substantial appellate briefing in other matters and briefing of a reply to an
 28 opposition for summary judgment for Allstate Parties in a separate case, in order to ensure that

1 Allstate has a full and adequate opportunity to respond to the motion [ECF No. 522], good cause
2 exists to extend the response to dispositive motions deadline to June 30, 2023.

3 4. Thus, the parties stipulate and agree to extend the deadline for the responses to
4 dispositive motions from June 19, 2023 to June 30, 2023. Additional time is not expected to be
5 needed.

6 5. This stipulation is made in good faith and not to delay the proceedings.

7 Trial has not been scheduled in this matter.

8 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

9 DATED this 6th day of June, 2023

 DATED this 6th day of June, 2023

10 FAIN ANDERSON VANDERHOEF
11 ROSENDAHL O'HALLORAN
12 SPILLANE PLLC

 CHRISTIANSEN LAW OFFICES

13 By: /s/ Todd W. Baxter

 By: /s/ Peter S. Christiansen

14 ERON Z. CANNON
15 JENNIFER M. SMITROVICH
16 701 Fifth Avenue, Suite 4750
17 Seattle, WA 98104

 DONALD J. CAMPBELL
 J. COLBY WILLIAMS
 SAMUEL R. MIRKOVICH
 710 South Seventh Street, Suite A
 Las Vegas, Nevada 89101

18 TODD W. BAXTER
19 McCORMICK, BARSTOW,
20 SHEPPARD, WAYTE, &
21 CARRUTH LLP
22 8337 West Sunset Road,
23 Suite 350
24 Las Vegas, NV 89113

 PETER S. CHRISTIANSEN
 KENDELEE L. WORKS
 710 South Seventh Street, Suite B
 Las Vegas, Nevada 89101

25 *Attorneys for Plaintiffs/
26 Counterdefendants*

*Attorneys for Defendants
 Counterclaimants*

27 IT IS SO ORDERED.

28 DATED: June 8, 2023



UNITED STATES DISTRICT COURT JUDGE